

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICIA A. MCCOLM,

No. C 09-04132 SI

Plaintiff,

ORDER RE: MOTION TO DISMISS

v.

FOREMOST INSURANCE CO,

Defendant.

On June 2, 2011, defendant Foremost Insurance Co. filed a motion to dismiss. *See* Doc. 182.

Defendant is hereby ordered to supplement its filing with the following:

- a transcript of the **entire** deposition;
- the video of the **entire** deposition; and
- a **detailed** statement of how defendant's purported inability to depose plaintiff Patricia McColm has interfered with its ability to defend the case.

Defendant's statement may be in the form of a statement of disputed and undisputed facts, with an explanation of how a completed deposition would or could have resolved certain of the disputed facts. It should state what defenses defendant would have wished to raise for each of plaintiff's claims, and how it has been prevented from doing so. Defendant shall also explain why defendant chose to terminate the deposition rather than contacting the Court for assistance.

Defendant's supplemental filings are due at **5:00 p.m. on Friday, June 10, 2011**. The remainder of the Court's scheduling order for dispositive motions remains the same. *See* Doc. 160. Plaintiff must file her opposition by **July 1, 2011**; defendant's reply is due **July 8, 2011**; and the hearing remains

1 scheduled for **July 15, 2011**.

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3 **IT IS SO ORDERED.**

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6 Dated: June 7, 2011



SUSAN ILLSTON
United States District Judge